



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

**UNITED STATES OF AMERICA**

**v.**

**ROLAND KYZER**

**Defendant.**

) Criminal No. 3:17-CR-~~358~~ (TJM)

) **Indictment**

) Violations: 18 U.S.C. § 2252A(a)(2)(A) &  
(b)(1)  
[Receipt of Child  
Pornography]

) 18 U.S.C. § 2252A(a)(5)(B) &  
(b)(2)  
[Possession of Child  
Pornography]

) 2 Counts

) County of Offense: Broome

**THE GRAND JURY CHARGES:**

**COUNT 1**

**[Receipt of Child Pornography]**

From in or about November of 2011 through in or about November of 2016, in Broome County, in the Northern District of New York and elsewhere, defendant **ROLAND KYZER** knowingly received child pornography, using a means and facility of interstate and foreign commerce shipped and transported in and affecting such commerce by any means, including by computer, in that, the defendant used a computer and the Internet to download one or more graphic image and video files, depicting one or more minors engaged in sexually explicit conduct, specifically the following files with the following names:

(1) "img\_3611\_1.jpg";

- (2) "tara 5yr 032 [REAL 5yo REALLY doing IT and REALLY getting off~LogicalReality.com].jpg";
  - (3) "2\_yo\_oral\_in\_bath.avi";
  - (4) "2008\_Littleangela.avi";
  - (5) "Pthc (2015) 7Yo April Hj Bj Finger Pencil In Ass Vib Cum.mp4";
  - (6) My\_family\_incest\_Seri\_2011\_Julia\_8yo\_Lisa\_4yo\_Mike\_7yo\_Lara\_8yo\_hot\_30min.avi";
- and
- (7) "Emily girl masturbation pthc toys webcam.avi",

All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) & (b)(1).

**COUNT 2**  
**[Possession of Child Pornography]**

On or about November 15, 2016, in Broome County, in the Northern District of New York, defendant **ROLAND KYZER** knowingly possessed material that contained images and videos of child pornography that had been shipped and transported using a means and facility of interstate and foreign commerce and in and affecting such commerce, by any means, including by computer, and that were produced using materials which had been shipped, and transported in and affecting such commerce by any means, including by computer, that is, the following laptop, hard drive, and thumb drives which contained numerous digital images and videos of one or more minors engaged in sexually explicit conduct:

- (1) Asus Notebook PC laptop, model: X540L, silver, serial number:G3N0CX05E92210B;
- (2) Seagate 1TB hard drive, serial number: NA7ZCF86, plugged into a 1080P media player;
- (3) black SanDisk Cruzer thumb drive – 64 GB, labeled "New HC Mix", serial number 20051740230F433089B0;
- (4) black SanDisk Cruzer Glide thumb drive – 128 GB, labeled "pic #1", serial number 4C531001630104114561;

- (5) black SanDisk Cruzer Glide thumb drive – 32 GB, labeled “New Star Mag Fash pics”, serial number 2005496363164B109C69;
- (6) black SanDisk Cruzer Glide thumb drive – 128 GB, labeled “assorted xvids”, serial number 4C531001470715110560;
- (7) white Lexar 16 GB thumb drive, serial number AAQ5IB9H1X8ZVE5O;
- (8) black SanDisk Cruzer Glide thumb drive – 128 GB, serial number 4C530001280202115045;
- (9) black SanDisk Cruzer Glide thumb drive – 128 GB labeled “Junior webcam”, serial number 4C530001270104112320;
- (10) black SanDisk Cruzer Glide thumb drive – 128 GB, labeled “Random vids (NN)”, serial number 4C530001281016111425;
- (11) black SanDisk Cruzer Glide thumb drive – 64 GB, labeled “New(HC)”, serial number 2005194251138F32EBB3;
- (12) black SanDisk Cruzer Glide thumb drive – 128 GB, white label without writing, serial number 4C530001030204115051;
- (13) black SanDisk Cruzer Glide thumb drive – 32 GB, labeled “Pic site-rip”, serial number 20051739601B015276DC;
- (14) black SanDisk Cruzer Glide thumb drive – 64 GB labeled “Loli (comics)”, serial number 20044317020F36B336AD;
- (15) black SanDisk Cruzer Glide thumb drive – 32 GB labeled “True Blood &”, serial number 200548574307797317CE;
- (16) silver PNY 64 GB USB drive, serial number AEB13H03YE09001210; and
- (17) blue SanDisk 32 GB SD card labeled “LS pics”.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) & (b)(2).

The above violation involved digital images and videos of child pornography involving prepubescent minors and minors who had not attained 12 years of age, in violation of Title 18, United States Code, Section 2252A(b)(2).

### **ALLEGATION REGARDING PREVIOUS CONVICTIONS**

1. Counts 1 & 2 of this Indictment are realleged and incorporated by reference.

2. Defendant **ROLAND KYZER** is subject to increased punishment pursuant to Title 18, United States Code, Sections 2252A(b)(1) & (b)(2) because of the following one or more prior conviction for an offense which had become final:

**ROLAND KYZER** was convicted on or about March 28, 2003, in Broome County, in the United States District Court, Northern District of New York, for the crime of Receiving Child Pornography, in violation of Title 18, United States Code, Sections 2252A(a)(2)(A)&(B), and was sentenced to 108 months incarceration.

**ROLAND KYZER** was convicted on or about July 3, 2002, in Tioga County, County Court, New York for the crime of Sexual Abuse in the First Degree, in violation of New York Penal Law 130.65(3), and was sentenced to 7 years incarceration.

3. By virtue of such one or more prior conviction, **ROLAND KYZER** is subject to the enhanced penalty provisions contained within Title 18, United States Code, Sections 2252A(b)(1) & (b)(2).

### **FORFEITURE ALLEGATION**

1. The allegations contained in Counts 1 - 2 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253.

2. Pursuant to Title 18, United States Code, Section 2253, upon conviction of one or more offenses in violation of Title 18, United States Code, Section 2252A, the defendant, **ROLAND KYZER**, shall forfeit to the United States of America any property, real or personal,

used and intended to be used to commit and to promote the commission of the offenses. The property to be forfeited includes, but is not limited to, the following:

- a. One (1) Asus Notebook PC laptop, model: X540L, silver, serial number: G3N0CX05E92210B;
- b. One (1) Seagate 1TB hard drive, serial number: NA7ZCF86, plugged into a 1080P media player;
- c. One (1) black SanDisk Cruzer thumb drive – 64 GB, labeled “New HC Mix”, serial number 20051740230F433089B0;
- d. One (1) black SanDisk Cruzer Glide thumb drive – 128 GB, labeled “pic #1”, serial number 4C531001630104114561;
- e. One (1) black SanDisk Cruzer Glide thumb drive – 32 GB, labeled “New Star Mag Fash pics”, serial number 2005496363164B109C69;
- f. One (1) black SanDisk Cruzer Glide thumb drive – 128 GB, labeled “assorted xvids”, serial number 4C531001470715110560;
- g. One (1) white Lexar 16 GB thumb drive, serial number AAQ5IB9H1X8ZVE5O;
- h. One (1) black SanDisk Cruzer Glide thumb drive – 128 GB, serial number 4C530001280202115045;
- i. One (1) black SanDisk Cruzer Glide thumb drive – 128 GB labeled “Junior webcam”, serial number 4C530001270104112320;
- j. One (1) black SanDisk Cruzer Glide thumb drive – 128 GB, labeled “Random vids (NN)”, serial number 4C530001281016111425;

- k. One (1) black SanDisk Cruzer Glide thumb drive – 64 GB, labeled “New(HC)”, serial number 2005194251138F32EBB3;
- l. One (1) black SanDisk Cruzer Glide thumb drive – 128 GB, white label without writing, serial number 4C530001030204115051;
- m. One (1) black SanDisk Cruzer Glide thumb drive – 32 GB, labeled “Pic site-rip”, serial number 20051739601B015276DC;
- n. One (1) black SanDisk Cruzer Glide thumb drive – 64 GB labeled “Loli (comics)”, serial number 20044317020F36B336AD;
- o. One (1) black SanDisk Cruzer Glide thumb drive – 32 GB labeled “True Blood &”, serial number 200548574307797317CE;
- p. One (1) silver PNY 64 GB USB drive, serial number AEB13H03YE09001210;
- q. One (1) blue SanDisk 32 GB SD card labeled “LS pics”.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section

2253(b) and by Title 28, United States Code, Section 2461(c).

Dated: November 8, 2017

A TRUE BILL, \*\*REDACTED\*\*

  
Grand Jury Foreperson

GRANT C. JAQUITH  
Acting United States Attorney

By: 

Miroslav Lovric  
Assistant United States Attorney